

## REMARKS/ARGUMENTS

Claims 1-10, 12-14, and 16-17 were pending. Claims 1-8, 10, 12-14, and 16-17 were rejected. Claim 9 was objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 9 has been so amended and is therefore in condition for allowance. No new matter has been added in the claims. Reconsideration is respectfully requested.

### Specification

The Examiner has required a substitute specification stating that the amendments to the specification on 3/17/2006 and 8/29/2008 are difficult to consider or to arrange the papers for printing/copying. Accordingly, a substitute specification, including a marked up version and a clean version are attached hereto. Additionally, three paragraphs are amended herein to correct typographical errors. These amendments also appear in the substitute specification. No new matter is added.

### Claim Rejections – 35 U.S.C. §102

Claims 1-10 and 12-15 were rejected under 35 U.S.C. §102(b) as being anticipated by Mueller (4,025,785) (“Mueller”). Reconsideration and withdrawal is respectfully requested.

In the Response to Arguments, the Examiner stated that “applicant’s arguments do not comply with 37 CFR 1.111(c)”. Applicant respectfully disagrees. Page 10 and 11 of the Response to Office Action dated August 29, 2008, clearly states, that “Mueller does not split the reflected beam ‘into at least two images from eccentric sections of an imaging pupil’ as recited in claims 1 and 12.” The Response to Office Action dated August 29, 2008, further included materials supporting Applicant’s position. Accordingly, Applicant’s attorney submits that the arguments are in compliance with 37 CFR 1.111(c). If the Examiner continues to maintain that Applicant has not sufficiently replied, Applicant requests that the Examiner provide a more thorough explanation of the purported deficiency in the argument rather than simply quoting the text of Rule 1.111(c).

The Examiner further stated in the Response to Arguments that Mueller discloses Applicant’s invention as claimed as Mueller discloses “the objective lens (1) acts as an optics

for splitting light reflected from a spot (17a) of an object (4) to an imaging system having a first imaging system (32, 33) and a second observation system (7-10, 13-14).” Applicant respectfully disagrees and requests the Examiner’s thoughtful reconsideration.

First, Applicant points out that the objective lens (1), in fact, does not “split” the light reflected from the spot (17a) of an object (4). As is well known, an objective lens focuses light and produces a real image of the object being observed. The objective lens (1) of Mueller is used along with additional objective lenses 2 and 3 to present images of the object 4 at the intermediate image planes 5 and 6. Col. 2, lines 58-68 and Fig. 1. The objective lenses 2 and 3 are offset from the center of the objective lens 1 and thus, produce images of the object 4 at slightly different perspectives, which explains why Mueller refers to his system as a “stereoscopic microscope”. See, Title, and col. 2, lines 58-68. The objective lens 1 and objective lenses 2 and 3, however, do not “split” the reflected light … into at least two images” as recited in the claims, but instead form two images of the object 4 from different perspectives. Applicant submits that to ignore this fact is an error. Applicant respectfully requests that the Examiner reconsider the lack of factual basis for this rejection.

Additionally, to take the position that producing two images of an object from different perspectives using objective lens 1 (and objective lenses 2 and 3) is the same as the claimed feature that “the reflected light is split into at least two images” requires that the claim term “split” be ignored thereby reading that term out of the claims. Applicant respectfully requests that the Examiner reconsider this improper claim interpretation.

Second, Applicant notes that the Examiner rejection is based on “the objective lens (1) acts as an optics for splitting light reflected from a spot (17a) of an object (4) to an imaging system ....” Applicant’s independent claims 1 and 12, on the other hand, require that the reflected light is split into the two images within the imaging system. For example, independent claim 1 recites the “reflected light is projected to the imaging system in which the reflected light is split into at least two images ...” and independent claim 12 recites “the imaging system comprising optics to split the reflected light into at least two images....” Both independent claims 1 and 12 recite an “objective lens” and “an imaging system” indicating that these are two separate elements and, thus, an interpretation that the “objective lens” is part of the “imaging system” is improper. Thus, even if one were to accept the Examiner’s interpretation of Mueller that the objective lens (1) splits the reflected light and

provides that light an imaging system<sup>1</sup>, Mueller still does not anticipate independent claims 1 or 12 as Mueller does not disclose splitting the reflected within the imaging system, which is distinguished from the objective lens. Thus, this element, which is needed for a *prima facie* rejection is omitted in Mueller and ignored by the Examiner.

The Examiner also stated in the Response to Arguments, that “Applicant should note that the claims 1-8, 10, 12-14 and 16 have not recited any specific limitation(s) related to the component(s) used to split the reflected light.” Applicant points out that claims 1-8, and 10 are directed to a method and thus, no physical components need to be recited. Further, Applicant points out that claim 12 recites “the imaging system comprising optics to split the reflected light into at least two images”, which Applicant submits is a specific limitation related to the component used to split the reflected light. Moreover, claim 14 further recites that “wherein the optics … comprises a dihedral mirror”, which again is a specific limitation related to the component used to split the reflected light.

Thus, Applicant respectfully submits that claims 1 and 12 are patentable over Mueller. Reconsideration and withdrawal of this rejection is respectfully requested. Claims 2-10 and 16 depend from claim 1 and claims 13-14 and 17 depend from claim 12, and are, therefore, likewise patentable for at least the same reasons.

Moreover, claims 3 and 4 relate to imaging the two eccentric sections on a single imaging means. Mueller, on the other hand, discloses the use of two separate photoelectric detectors 32 and 33. Col. 32-40.

Additionally, as discussed above, claim 14 recites that the optics that split the reflected beam into the two image from eccentric sections of the imaging pupil comprises a dihedral mirror. Mueller, on the other hand, does not disclose splitting the reflected beam into the two images from eccentric sections of the imaging pupil, much less, using a dihedral mirror to do so. Applicant points out that the Examiner stated that claim 9 was allowable with substantially the same elements. In the Response to Arguments, the Examiner stated with respect to claim 14, that Mueller clearly includes “a pair of the beamsplitter or dihedral mirror”. Applicant notes that this is contrary to the Examiner’s statement with respect to claim 9 and is factually incorrect, i.e., Mueller does not disclose a dihedral mirror. Applicant requests clarification of the Examiner’s position on claims 9 (allowed) and 14 (rejected).

Accordingly, claims 3, 4, and 14 are patentable for at least these additional reasons.

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<sup>1</sup> As discussed, above, Applicant does not accept this proposition.

Claim 9 has been amended to be placed in condition for allowance and claims 1-10, 12-14, and 16-17 remain pending. For the above reasons, Applicants respectfully request allowance of all pending claims. Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 378-7777 ext 112.

Respectfully submitted,



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Focusing System and Method

CROSS-REFERENCE TO RELATED APPLICATION

5      The present application is a U.S. National Phase application of PCT/GB2004/003969, filed 10 September 2004, the entirety of which is incorporated herein by reference. This application also claims the benefit of British Patent Application NO. 0321918.5 filed 19 September 2003.

TECHNICAL FIELD

10     The invention relates to a focusing system and method, in particular to an automatic focusing system and method for focusing on a generally planar object in bright field microscopy, for example as used for examining silicon or other semiconductor wafers for the purpose of process control, and in particular for overlay metrology.

15     BACKGROUND

Automatic focus of an optical system requires the acquisition of information about the relative position of the object and the optical system. In many instances, the object approximates to a plane reflective surface, and the auto-focus will project a light beam onto the object and use the zero-order reflection from the object to determine the  
20     object distance.

Although such systems have been deployed with some success, they have suffered from a variety of disadvantages including: 1) that surface detail in localized regions of the object will affect the zero-order reflection and in some implementations will result in  
25     false readings; 2) that the light beam used for focus investigation may not have the same chromatic properties as the light which is used by the optical system when it is performing its intended task; 3) that the optical path of the system used for focus investigation may differ substantially from that used by the optical system when it is performing its intended task; 4) that such systems may employ a variety of artefacts

artifacts which are not a part of the object under investigation, some of which may contribute to false readings.

The present invention may best be described in the context of its application with  
5 a bright-field microscope as used for examining silicon wafers for the purpose of process control. A particularly preferred application of the invention is for measurement of focus information in overlay metrology in which the focal conditions under which the data are gathered have a substantial impact on the quality of the data and this example is discussed in detail herein. Potentially however, the present invention could be used for  
10 any optical system in which there is a spatially-concentrated light-source.

In overlay metrology, light is injected into the top focal plane of a microscope objective to illuminate the object. Light reflected from that object is collected by the same objective and directed by means of a beam-splitter through an optical system to an  
15 imaging system which forms an image of the object. Typically this will comprise an array detector or detector such as a CCD camera. The object consists of a pair of marks produced by photolithography on a silicon wafer. Overlay metrology is the process whereby the relative positions of the two marks are measured. Historically, these marks have tended to be marks with four-way rotational symmetry which are positioned so that  
20 they are nominally concentric. One mark is larger than the other so that the two marks may easily be distinguished. They are referred to as the inner mark and the outer mark. Overlay marks generally have straight edges.

For the purpose of discussions herein, light used for gathering focus data will be  
25 referred to as the focus beam and light which is used when the optical system is performing its intended task (e.g. overlay metrology) will be referred to as the metrology beam.

One method by which the correct focal distance for an object may be determined  
30 is to gradually change the object distance while continuously gathering data from the

image formed by the optical system. If there is a well-defined criterion by which the "best focus" position can be judged (e.g. maximum spatial frequency content of the image, maximum intensity gradient, etc.) then the data collected as the object distance varies may be analysed to determine at which focal distance the defined criterion is best  
5 complied with. Following this, the focus distance may be set to the identified best focus condition and the optical system can be used for metrology. Alternatively, if sufficient data were acquired during the through-focus scan, those data which were acquired in the out-of-focus condition may be discarded while those that were gathered at the in-focus condition will be used for metrology.

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This methodology requires that a lot of data are acquired and analysed and is inevitably slow as time is taken up gathering data which are later discarded. To avoid this, many attempts have been made to develop auto-focus systems and auto-focus methods in which focus data may be acquired much more rapidly.

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In many auto-focus systems, light beams are injected into the optical system by means of a beam-splitter. These injected beams will emerge from the objective, reflect from the surface of the object and return to the optical system. The injected beams have some character which may be measured in the returning beam and which will be  
20 modified by a change in the distance of the object.

These methods can give focus information within a much shorter time interval. Systems employing this principle include laser-spot focus systems, twin aperture measurement systems and astigmatic beam systems. Such auto-focus systems may work  
25 well in a range of conditions, but are subject to a number of practical limitations.

First, these systems generally assume that the object is a mirror normal to the optical axis, and sample a limited region (or in some cases regions) of the object under investigation. Localized topography of the sample can ~~result~~ result in false readings.  
30 Reflectance variation of the sample, etc. can cause degradation of the focus information

that is obtained, as it changes the character of the light beam that is being measured. There are many situations in which these degradations are not present or are negligible, and some of these auto-focus systems work very well within a limited context. However, in the case of overlay metrology the requirement to achieve extreme focus sensitivity  
5 necessitates elimination of as many potential sources of uncertainty as possible.

Second, the focus beam may be very limited in the wavelengths that it can use, e.g. a laser spot focus system will usually be limited to a single wavelength. The light in the metrology beam may be from a broad band source. In any system in which chromatic 10 aberration had not been perfectly eliminated (i.e. any refractive optical system) there would be some offset between the best focus determined using the focus beam and the focus required by the metrology beam. As there may be some chromatic filtration of the metrology beam by the object (e.g. thin-film filtration on the surface of a silicon wafer) the offset may vary from sample to sample and may not be known.

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It would therefore be advantageous to use light with the same chromatic character for the focus beam as for the metrology beam.

## SUMMARY

20 ~~It is an object~~ Several embodiments of the present invention to mitigate some or all of the above disadvantages of prior art auto-focus systems and methods.

25 ~~It is a particular object~~ For example, particular embodiments of the present invention to provide an auto-focus system and method in which the data required to determine an optimal focus point are acquired more rapidly and/or the collection of ultimately redundant focus data is minimised.

30 ~~It is a particular object~~ Another embodiment of the present invention to provide provides an auto-focus system and method which can use light with the same chromatic character for the focus beam as for the main observational beam, in particular enabling

the use of a broad band light source and/or enabling the use of the same light source for a focusing and an observational step. Use of the same light source ensures that the steps of focus analysis and observation are carried out using light with identical chromatic characteristics.

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#### DETAILED DESCRIPTION

The Several embodiments of the invention relates to focusing systems on microscopes having a light source, an objective lens or lens system, a ~~means~~ light path to direct incident light through the objective lens or lens system to be reflected by the 10 object, an aperture to limit the spatial extent of the incident light and serve as an illumination pupil, a ~~means~~ light path to direct at least some of the reflected light to an imaging system, and an imaging system to image the reflected light so directed.

In accordance with selected embodiments of the invention ~~in its broadest aspect~~, a 15 method of automatically focusing such a system comprises ~~the steps of~~ directing a beam of light from a light source through an objective of a microscope system to an object whereby light is reflected from the surface thereof; collecting at least some of the light reflected thereby and directing the same to an imaging system, wherein the incident beam of light is limited in spatial extent by imaging an aperture to form an illumination pupil, 20 the centroid of illumination of the illumination pupil is aligned with the incident optical axis of the instrument, and reflected light is projected to the imaging system comprising at least two images, for example at least one pair of images, from eccentric sections of an imaging pupil differentially displaced from the optical axis, and wherein the separation of the images thereby produced is determined to provide an indication of the object distance.

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The differential displacement of the at least two images as the focus changes means that the separation distance also varies as the focus changes. The differential displacement comprises differential movement in extent and/or direction, preferably a pair of images displace in opposite directions.

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In accordance with additional examples of the invention, a novel focus system and method are described in which focus information is gathered during a focusing ~~step stage~~ about the object distance by observation of the object upon which it is desired to focus during a subsequent observational (for example metrology) ~~step stage~~ using the 5 light source that is used by the optical system when it is performing its intended observational task.

The method provides a very rapid method of determining the distance of an object and thus can be employed in determining an optimal focus position. It makes use of the 10 aperture provided in the objective path to limit the spatial extent of the incident light beam, and of measurements related to the illumination pupil formed thereby. This is discussed in detail below.

The illumination beam which is injected into the top focal plane of the objective 15 in an overlay-metrology tool or similar application is limited in its spatial extent. The boundary of this spot of light is formed by imaging an aperture. The image of this aperture in the top focal plane of the objective is often referred to as the illumination pupil, which term is used herein.

It will be understood to those skilled in the art of optical microscopy that if the 20 imaging pupil in a reflecting microscope is eccentric with respect to a zero order projection of the illumination pupil then the image will move laterally with changes in focus conditions. ~~Only by~~ By accurate centration of the illumination pupil, ~~ean~~ the image can

be made to remain stationary with changes of object distance. This statement 25 should be refined slightly in the case where the illumination pupil is not a perfect circle or is not uniformly illuminated. Under these circumstances, the fundamental required condition is that the centroid of illumination is placed on the optical axis. However, in the preferred case where the pupil is circular and evenly illuminated this will equate to a 30 requirement that the pupil is centred on the optical axis.

The reference for perfect alignment is the axis formed by the imaging system. If the imaging pupil is off axis, compared to the axis defined by the illumination pupil a similar effect will occur.

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The essence of the invention is to make images of the object using sections of the imaging pupil with differing eccentricities and to project them onto a single imaging means for example a single detector array. This pupil may then be split up into at least two sections by introduction of suitable image separation optics. At least two such 10 images are collected for projection to different imaging areas but preferably relatively adjacent areas on a single imaging system. If the sections of the imaging pupil are displaced independently from perfect alignment, then the separate images will move differentially. Calculation of the separation of the images will then provide a measurement of the object distance. In a preferred embodiment the sections of the 15 imaging pupil will be displaced in opposite directions to achieve maximum sensitivity.

In one possible embodiment, the method comprises successively repeating the above outlined method ~~steps~~ stages to obtain separate pairs of images from eccentric sections of the imaging pupil, measurements of the separation of the successive pairs of 20 images being used, for example as part of iterative process, to improve the accuracy of the focusing information and/or to obtain focusing information varying spatially across an object, particularly to accommodate a degree of deviation from planarity. However, it will often be preferred if possible to determine in a single measuring stage the distance from focus, and to adjust in a single adjustment stage.

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The light that is used for the focus investigation will typically have the same chromatic content as the light which is used for metrology. Preferably it will be from the same light source. The system will therefore not require calibration to remove chromatically induced offsets.

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A separate optical system and imaging system can be used to investigate the focus condition. This will require a beam-splitter in order to extract light reflected from the sample. In this separate focus optical system, an image of the pupil of the primary imaging system is formed using suitable relay optics such as a relay lens. This pupil may 5 then be split up by introduction of suitable image separation optics, so adapted that the separate sections of pupil will form separate images on the imaging means, for example of a detector array, provided as part of the focus optical system and imaging system.

In this case, the focus optical system is separate from the primary observational 10 optical system which is used to image the object, obtain metrology data or other measured data therefrom, etc., once the focus has been determined. Such primary observational optical system will again comprise a suitable arrangement of optical elements to direct reflected light from the object to an observational imaging means, again preferably comprising a detector array. In the alternative, a single optical 15 system with a common imaging means can be used first to investigate the focus condition and subsequently to conduct observation and/or measurement of the object.

In the preferred embodiment discussed herein, the simple device of a dihedral mirror has been used to serve as the image separation optics. This simultaneously splits 20 the pupil into two and redirects the light from the two halves to different sections of the CCD array provided as part of the focus optical system. This is by way of example only and it is not difficult to think of other systems to split the pupil though this is a particularly simple method.

25 In such a system the relative displacement between the two images when the microscope is in the lower focal plane of the objective lens or optics is dependent only on the dihedral angle and the focal length of the camera lens. If a single sensor is used then the offset at the in-focus position is extremely stable, providing immunity from mechanical variations which could result in drifting focus readouts.

- In the focus optics detection means are required at least to determine the displacement of two images. The images will be very similar in many respects. It is therefore reasonable to use pattern recognition/correlation techniques (e.g. to store a portion of the first image and to determine where in the second image there is an object which correlates with the stored portion.) Using the position of the first portion of image as a starting point and knowing the direction of the displacement of illumination, the area of the second image that needs to be investigated will be very small and require little processing.
- 10        A field stop is preferably provided in the illumination beam from the light source. In this arrangement the field stop provides a feature the image of which is used by the focusing system to evaluate offset from ideal focus. The field stop is arranged to ensure that there is no overlap of the two images formed when the system is being used to investigate the focus condition. The size of the field stop is preferably selected with this intention in mind, but to ensure that this does not affect the image observed during the observation phase of operation. This can be achieved because the image of this stop is likely to be larger than the field of view during the observational phase which is carried out at high magnification, but effective as a limit stop at the lower magnification which right typically be used for the focus investigation. The size of the detector is also relevant. If the detector area were larger a larger spot size would be tolerable.

25        In accordance with a further aspect of the invention-a further aspect, a microscope auto-focus system is provided for the implementation of the foregoing method, and a microscope is provided equipped with such a system.

- Specifically, such a system for a microscope comprises a light source, an objective lens system, a ~~means~~ light path to direct incident light through the objective lens to be reflected by the object, an aperture to limit the spatial extent of the incident light and serve as an illumination pupil with the centroid of illumination on the optical axis, a ~~means~~ light path to direct reflected light from the object to an imaging system, and

an imaging system, and the system further comprises a ~~means~~optics to project reflected light to the imaging system comprising at least two images from eccentric sections of an imaging pupil differentially displaced from the optical axis, and a ~~means~~camera to measure the separation of the images thereby produced to provide an indication of the  
5 object distance. Additionally there is a means to adjust mechanically the separation of the object being observed from the imaging objective lens, under the control of the focus system. For example there is provided a closed loop control system (CS, shown in Fig. 1) which provides the ability to adjust the mechanical position of the object based on processing the output signal from the focus system detector.

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Preferably a first optical and imaging system is provided for focus images to be used to determine optimal focus position in a first focusing step, and a second optical and imaging system is provided for an observational image to be used in a subsequent observational (for example metrology) step, with a beam splitter and/or selective optics  
15 disposed therebetween to divert reflected light from an object selectively to either imaging system and/or partially to both.

The means to project reflected light to the imaging system comprising at least two images from eccentric sections of an imaging pupil includes suitable image separation  
20 optics which as set out above preferably comprises a dihedral mirror.

Further preferred features of the system will be understood by analogy with reference to the description of preferred features of the method.

25 The invention will now be described by way of example only with reference to FIG. 1 of the accompanying drawings, illustrating an example focusing system in accordance with the invention.

30 The system illustrated in FIG. 1 is set up as a tool suitable for overlay metrology but will illustrate the general principles of the invention with more widespread applicability. The

system illustrated in FIG. 1 includes separate optical systems to collect the imaging information to investigate the focus condition, and to collect the imaging information for metrology. These comprise the focus CCD camera 11 and the microscope CCD 13. Beam-splitter 15 extracts light reflected from the object to serve both these imaging 5 systems.

A light source 21 directs a beam of light along the light path represented by the dotted line through an illumination lens 23 and objective lens 25 onto an object 26a at the object plane 26. The top focal plane of objective is identified by reference 24. Reflected 10 light passes through the beam-splitter 15. The reflected light is directed via a relay optical system consisting in this example of a first imaging lens 27 onto a dihedral mirror 28. It is through the dihedral mirror that the essential feature of the invention is enabled. The dihedral mirror simultaneously splits the illumination pupil into two and redirects the light via the second imaging lens 29 to different sections of the focus CCD 11, 15 comprising the first imaging region 31 and the second imaging region 32.

In order that there is no overlap of the two images on the focus camera, a field stop 33 is preferably included in the illumination beam of the microscope. This does not affect the image observed in the metrology channel because the image of this stop is 20 larger than the field of view in the metrology channel but the focus camera system 11 works at lower magnification.

A further advantage of this stop is that the image of the stop also moves with 25 object distance in the same way that the image of the object moves. The rate of movement of the image of the field stop is twice that of the rate of movement of the object, which is highly advantageous to the sensitivity of the focus system.

For analysis of the focus condition, image correlation methods can be employed. Such methods evaluate the variation with focus of the separation of the images of the 30 field stop. However, these images contain data associated with features in the object

which move with focus at a rate different to that of the image of the field stop. Further, the images contain phase information which produces asymmetric images if the pupil section is eccentric. Consequently the two image segments are not identical and the detail of the difference changes with the focus condition. Some means of filtering these  
5 characteristics is necessary to prevent loss of accuracy in the analysis results. A variety of techniques can be employed for the suppression of image detail, and will be familiar to those skilled in the art of image processing

Once the focus condition has been investigated, the metrology camera CCD 13 is  
10 used for metrology observations. Light is directly thereat via the beam splitter 15 and microscope imaging lens 35 and mirror 36.

ABSTRACT OF THE DISCLOSURE

A method of automatically focusing a microscope ~~in which a having a light source, an objective lens or lens system, a means to direct incident light through the~~ 5 ~~objective lens or lens system to be reflected by the object, an aperture to limit the spatial extent of the incident light and serve as an illumination pupil, a means to direct at least some of the reflected light to an imaging system, and an imaging system to image the reflected light so directed is described. In accordance with the invention a beam of light is directed from a light source through an objective of the microscope system to an object whereby light is reflected from the surface thereof; reflected light is collected and directed to an imaging system; wherein the~~ The incident beam of light is limited in spatial extent by imaging an aperture to form an illumination pupil, the centroid of illumination of the illumination pupil is aligned with the incident optical axis of the instrument, and The reflected light is split in projected to the imaging system into comprising at least one pair of images from eccentric sections of an imaging pupil displaced from the optical axis in opposite directions, and wherein the separation of the images thereby produced is determined to provide an indication of the object distance. A focusing system implementing the method and a microscope fitted with such a system are also described.